

CHAPTER NO. 729

HOUSE BILL NO. 2610

By Representative Hargrove and Mr. Speaker Naifeh and Representatives Ronnie Cole, Maddox, Pruitt, Hargett, Newton, Patton, Ford, David Davis, Godsey, Buttry, Montgomery, Harwell, Roach, McKee, Phelan, Walker, Stulce, Fitzhugh, Brenda Turner

Substituted for: Senate Bill No. 2904

By Senators Cooper, Kurita, Burks, Haun, Burchett, Dixon, Crowe

AN ACT to amend Tennessee Code Annotated, Section 65-4-405, relative to telephone solicitation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 65-4-405(a), is amended by deleting the date "July 1, 2000" and substituting instead the following date:

May 1, 2000

SECTION 2. Tennessee Code Annotated, Section 65-4-405(d), is amended by deleting this subsection in its entirety and substituting instead the following language as a new subsection:

(d)(1) A person or entity desiring to make telephone solicitations to any residential subscriber shall pay to the authority by certified check or money order, on or before March 15, 2000, an annual registration fee of five hundred dollars (\$500) to defray regulatory and enforcement expenses. Such annual registration fee shall allow access to the Do Not Call Register compiled from the database established under this part; such registration and access shall be limited to the time period April 1, 2000 until June 30, 2001, or any part thereof. Thereafter, the registration deadline and annual time period shall be determined by rule duly promulgated by the authority.

(2) Unlimited electronic copies of the Do Not Call Register shall be available to persons or entities upon their payment of the annual registration fee. A fee shall be established by rule of the authority for paper copies of the Do Not Call Register.

(3) Fifteen (15) days after the registration deadline, the non-payment of any required fee is a violation of this part. The telephone solicitation of any residential subscriber listed in the Do Not Call Register compiled from the database established under this part, by any person or entity who is not duly registered and who is not otherwise exempted by law, is a violation of this part.

SECTION 3. Tennessee Code Annotated, Section 65-4-405, is amended by adding the following as a new subsection to be appropriately designated:

() Upon request of any person, the authority shall initiate a rulemaking proceeding establishing the rules pursuant to which a registrant may share the Do Not

Call Register with persons affiliated with the registrant as an independent contractor or member.

SECTION 4. Tennessee Code Annotated, Section 65-4-405(d), is amended by adding the following new subdivision thereto:

() "Entity" includes any parent, subsidiary, or affiliate of a person;

SECTION 5. This Act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 8, 2000

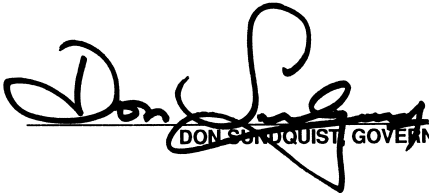


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES



JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 17th day of May 2000



DON SUNDQUIST, GOVERNOR